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Attorneys for Defendants
Homestore, Inc., The National
Association of Realtors and The
National Association of Home Builders
of the United States

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

KEVIN L. KEITHLEY and TREN
TECHNOLOGIES HOLDINGS, LLC,

Plaintiff,

v.

HOMESTORE.COM, INC., et al.,

Defendants.

Case No. 3:03-cv-04447-SI (EDL)

DISCOVERY MATTER

**DECLARATION OF S. BENJAMIN
PLEUNE IN SUPPORT OF PLAINTIFFS'
ADMINISTRATIVE MOTIONS FOR
FILING UNDER SEAL (DOCKET NOS. 513
and 518);**

~~PROPOSED~~ ORDER

Courtroom: E, 15th Floor
Judge: Hon. Elizabeth D. Laporte

DECLARATION OF S. BENJAMIN PLEUNE

I, S. Benjamin Pleune, declare as follows:

1. I am an attorney at law licensed to practice before all of the courts of the State of North Carolina. I am an associate in the law firm of Alston & Bird, LLP, counsel for defendants Homestore, Inc., The National Association of Realtors, and The National Association of Home Builders of the United States (collectively "Defendants"). I have knowledge of all of the following facts and, if called as a witness, could and would competently testify thereto.

2. The following materials designated in Plaintiffs' Administrative Motion for Filing Under Seal are highly confidential and sealable in their entirety:

- Exhibit 1 to the Declaration of Scott R. Mosko in Support of Plaintiffs Kevin Keithley and TREN Technologies Holdings, LLC's statement of Defendants' Misrepresentations Throughout Discovery;
- Exhibit 2 to the Declaration of Scott R. Mosko in Support of Plaintiffs Kevin Keithley and TREN Technologies Holdings, LLC's statement of Defendants' Misrepresentations Throughout Discovery;
- Exhibit 3 to the Declaration of Scott R. Mosko in Support of Plaintiffs Kevin Keithley and TREN Technologies Holdings, LLC's statement of Defendants' Misrepresentations Throughout Discovery;
- Exhibit 4 to the Declaration of Scott R. Mosko in Support of Plaintiffs Kevin Keithley and TREN Technologies Holdings, LLC's statement of Defendants' Misrepresentations Throughout Discovery;
- Exhibit 8 to the Declaration of Scott R. Mosko in Support of Plaintiffs Kevin Keithley and TREN Technologies Holdings, LLC's statement of Defendants' Misrepresentations Throughout Discovery;
- The Declaration of Weiguo Chen in Support of Plaintiffs Kevin Keithley and TREN Technologies Holdings, LLC's statement of Defendants' Misrepresentations Throughout Discovery; and
- Exhibit A to the Declaration of Weiguo Chen in Support of Plaintiffs Kevin Keithley and TREN Technologies Holdings, LLC's statement of Defendants' Misrepresentations Throughout Discovery.

Said exhibits have been designated as Highly Confidential – Attorney's Eyes Only by Defendants, and said exhibits contain highly sensitive, confidential business information.

1 I declare under penalty of perjury under the laws of the United States of America
2 that the foregoing is true and correct.

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4 Executed on June 18, 2008, at Charlotte, North Carolina.

5 /s/ S. Benjamin Pleune

6 S. Benjamin Pleune
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[PROPOSED] ORDER

Upon good cause shown, IT IS **HEREBY ORDERED** that the following documents be filed under seal:

- Exhibit 1 to the Declaration of Scott R. Mosko in Support of Plaintiffs Kevin Keithley and TREN Technologies Holdings, LLC's statement of Defendants' Misrepresentations Throughout Discovery;
- Exhibit 2 to the Declaration of Scott R. Mosko in Support of Plaintiffs Kevin Keithley and TREN Technologies Holdings, LLC's statement of Defendants' Misrepresentations Throughout Discovery;
- Exhibit 3 to the Declaration of Scott R. Mosko in Support of Plaintiffs Kevin Keithley and TREN Technologies Holdings, LLC's statement of Defendants' Misrepresentations Throughout Discovery;
- Exhibit 4 to the Declaration of Scott R. Mosko in Support of Plaintiffs Kevin Keithley and TREN Technologies Holdings, LLC's statement of Defendants' Misrepresentations Throughout Discovery;
- Exhibit 8 to the Declaration of Scott R. Mosko in Support of Plaintiffs Kevin Keithley and TREN Technologies Holdings, LLC's statement of Defendants' Misrepresentations Throughout Discovery;
- The Declaration of Weiguo Chen in Support of Plaintiffs Kevin Keithley and TREN Technologies Holdings, LLC's statement of Defendants' Misrepresentations Throughout Discovery; and
- Exhibit A to the Declaration of Weiguo Chen in Support of Plaintiffs Kevin Keithley and TREN Technologies Holdings, LLC's statement of Defendants' Misrepresentations Throughout Discovery.

IT IS **SO ORDERED**.

Dated: July 21, 2008

Magistrate

